

IN THE CLAIMS

Please cancel claims 1-5 without admission and without prejudice.

Please add new claims 22-51 as follows:

22. The system of claim 6, wherein the selected media software component comprises at least one software module directed to controlling backup and retrieval of data to the storage device.

23. The system of claim 22, wherein the at least one software module comprises an indexing software module directed to recording a physical address on the storage device where particular information is located.

24. The system of claim 22, wherein the at least one software module comprises a data mover software module directed to managing the physical transfer of data to and from the storage device.

25. The system of claim 22, wherein the at least one software module comprises a library software module directed to controlling physical media of the storage device.

26. The system of claim 6, wherein the management software component comprises at least one software module directed to coordinating usage of the storage device.

27. The system of claim 26, wherein the at least one software module comprises an application software module directed to storing backup and retrieval preferences of a software application.

28. The system of claim 26, wherein the at least one software module comprises an archive software module directed to tracking the location of data across library media.

29. The system of claim 26, wherein the at least one software module comprises a jobs software module directed to managing system processes.

30. The system of claim 26, wherein the at least one software module comprises a media usage software module directed to tracking usage of the storage device.

31. The system of claim 26, wherein the at least one software module comprises a data transfer software module directed to coordinating the transfer of data between system software components, software modules, and the storage device.

32. The system of claim 11, wherein the selected media software component comprises at least one software module directed to controlling backup and retrieval of data to the storage device.

33. The system of claim 32, wherein the at least one software module comprises an indexing software module directed to recording a physical address on the storage device where particular information is located.

34. The system of claim 32, wherein the at least one software module comprises data mover software module directed to managing the physical transfer of data to and from the storage device.

35. The system of claim 32, wherein the at least one software module comprises a library software module directed to controlling physical media of the storage device.

36. The system of claim 11, wherein the management software component comprises at least one software module directed to coordinating usage of the storage device.

37. The system of claim 36, wherein the at least one software module comprises an application software module directed to storing backup and retrieval preferences of a software application.

38. The system of claim 36, wherein the at least one software module comprises an archive software module directed to tracking the location of data across library media.

39. The system of claim 36, wherein the at least one software module comprises a jobs software module directed to managing system processes.

40. The system of claim 36, wherein the at least one software module comprises a media usage software module directed to tracking usage of the storage device.

41. The system of claim 36, wherein the at least one software module comprises a data transfer software module directed to coordinating the transfer of data between system software components, software modules, and the storage device.

42. The system of claim 16, wherein the selected media software component comprises at least one software module directed to controlling backup and retrieval of data to the backup device.

43. The system of claim 42, wherein the at least one software module comprises an indexing software module directed to recording a physical address on the backup device where particular information is located.

44. The system of claim 42, wherein the at least one software module comprises data mover software module directed to managing the physical transfer of data to and from the backup device.

45. The system of claim 42, wherein the at least one software module comprises a library software module directed to controlling physical media of the backup device.

46. The system of claim 16, wherein the management software component comprises at least one software module directed to coordinating usage of the backup device.

47. The system of claim 46, wherein the at least one software module comprises an application software module directed to storing backup and retrieval preferences of a software application.

48. The system of claim 46, wherein the at least one software module comprises an archive software module directed to tracking the location of data across library media.

49. The system of claim 46, wherein the at least one software module comprises a jobs software module directed to managing system processes.

50. The system of claim 46, wherein the at least one software module comprises a media software module directed to tracking usage of the backup device.

51. The system of claim 46, wherein the at least one software module comprises a data transfer software module directed to coordinating the transfer of data between system software components, software modules, and the backup device.

Clean version of each replacement claim

Please substitute the following claims for the pending claims of the same numbers:

6. (Amended) A backup and retrieval system operating on a first network device and a second network device, the backup and retrieval system comprising:

a management software component that operates on the first network device;

a plurality of media software components communicatively coupled to the management software component that operate on at least a second network device;

a storage device communicatively coupled to the media software components;

the management software component selects a media software component among the plurality of media software components and controls the selected media software component;  
and

the selected media software component controls backup data to the storage device.

11. (Amended) A backup and retrieval system operating across a network containing a plurality of network devices, the backup and retrieval system comprising:

a management software component that operates on the first network device of the plurality of network devices;

a plurality of media software components communicatively coupled to the management software component;

a storage device communicatively coupled to the media software components, the media software components controlling backups to the storage device; and

the management software component selects a media software component among the plurality of media software components and controls the selected media software component.

16. (Amended) A backup and retrieval system for a network, the network comprising a plurality of computing devices, the plurality of computing devices comprising a first computing device and a second computing device, the backup and retrieval system comprising:

a management software component running on the first computing device;

a plurality of media software components communicatively coupled to the management software component;

at least one backup device communicatively coupled to the media software components;

a client software component communicatively coupled to the management software component and the media software components;

wherein the media software components control the at least one backup device;  
the management software component controls the media software components;  
the client software component controls backups of any particular computing  
device; and

at least one of either the media software components or the client software  
component runs on the second computing device.

17. (Amended) The backup and retrieval system of claim 16 wherein the  
management software component controls backups of the plurality of computing devices.

18. (Amended) The backup and retrieval system of claim 16 wherein the media  
software component creates an index of information on the location of archived information on  
the at least one backup device, and communicates at least part of the index of information to the  
management software component.

19. (Amended) The backup and retrieval system of claim 16 wherein the  
management software component and the media software component operate on different  
computing devices.

20. (Amended) The backup and retrieval system of claim 16 wherein the  
management software component and the media software component operate on the same  
computing device.

Version with markings to show changes made

6. (Amended) A backup and retrieval system operating on a first network device and a second network device, the backup and retrieval system comprising:

a management software component that operates on the first network device;

a plurality of media software component[s] communicatively coupled to the management software component that operate[s] on at least a [the] second network device;

a storage device communicatively coupled to the media software components;

the management software component selects a media software component among the plurality of media software components and controls the selected media software component;  
and

the selected media software component controls backup data to the storage device.

11. (Amended) A backup and retrieval system operating across a network containing a plurality of network devices, the backup and retrieval system comprising:

a management software component that operates on the first network device of the plurality of network devices;

a plurality of media software components communicatively coupled to the management software component;

a storage device communicatively coupled to the media software components, the media software components controlling backups to the storage device; and

the management software component selects a media software component among the plurality of media software components and controls the selected media software component.

16. (Amended) A backup and retrieval system for a network, the network comprising a plurality of computing devices, the plurality of computing devices comprising a first computing device and a second computing device, the backup and retrieval system comprising:

a management software component running on the first computing device;

a plurality of media software components communicatively coupled to the management software component;

at least one backup device communicatively coupled to the media software components;

a client software component communicatively coupled to the management software component and the media software components;

wherein the media software components [software] control[s] the at least one backup device;

the management software component [software] controls the media software components [software];

the client software component [software] controls backups of any particular computing device; and

at least one of either the media software components or the client software component runs on the second computing device.

17. (Amended) The backup and retrieval system of claim 16 wherein the management software component [software] controls backups of the plurality of computing devices.

18. (Amended) The backup and retrieval system of claim 16 wherein the media software component [software] creates an index of information on the location of archived information on the at least one backup device, and communicates at least part of the index of information to the management software component [software].

19. (Amended) The backup and retrieval system of claim 16 wherein the management software component [software] and the media software component [software] operate on different computing devices.

20. (Amended) The backup and retrieval system of claim 16 wherein the management software component [software] and the media software component [software] operate on the same computing device.

#### REMARKS

In the most recent Office Action dated November 14, 2002, the Examiner rejects claims 1-21 under 35 USC § 102(e) as anticipated by the European Patent Application (EP0899662 A1) of Stephen Gold and Jon Bathie, hereafter "Gold and Bathie". As discussed in the interview, the applicants cancel claims 1-5 and amend claims 6, 11, and 16 to more fully claim aspects of the present invention. For at least the reasons set forth below, the applicants respectfully assert that the pending claims are patentable over the prior art of record and request their allowance.

As discussed in the interview, Gold and Bathie does not contain any suggestion or teaching of a plurality of media software agents. By contrast, the system discussed in Gold and